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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,676	04/09/2001	Steven V. Kauffman	SVL920010029US1	1588
23373	7590	03/23/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			SHIBRU, HELEN	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,676

Applicant(s)

KAUFFMAN ET AL.

Examiner

HELEN SHIBRU

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/31/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/31/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendments, filed 10/31/2005, have been entered and made of record. In view of the Applicants' amendments to the drawing, claims 2, 8, 16, 17 and 24, and the terminal disclaimer for claims 1-2, 13-14 and 25-26, the objection to the drawing, claims 1-4, 17, 8, 16, and 24, and the rejection to claims 1-2, 13-14 and 25-26 are hereby withdrawn.

Response to Arguments

2. Applicant's arguments filed 08/05/2005 have been fully considered but they are not persuasive.

In re pages 10, Applicant states "the Examiner do not disclose building a list comprising a starting mark and ending mark for each selected portion of first content, the list for use in accessing corresponding portions of the same content stored as second content in a second format, as required by claim 1."

In response the examiner respectfully disagrees. Mills discloses in the edit window (38) a begin frame sequence (column 40), an end frame sequence (column 42), and the video frame sequence (column 44). (See col. 4 line 47-col. 5 line 25, and fig. 2). Mills further discloses to mark a particular video frame or portion of video information for editing purpose; the user positions the desired video frame in the video window 20 (see col. 4 lines 29-31). Upon being selected the video frame is digitized to create visual segment (see col. 4 lines 31-46).

It is respectfully submitted that the video editing system taught in Mills performs the same functions as of the instant application.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 2, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Mills (US Pat. No. 5237648).

Regarding claim 1, Mills discloses a method for specifying a selection of content segments stored in different formats, comprising the steps of: receiving specification of a plurality of portions (see fig. 2 clip edit window (22)) of first content; (video frame (36)) stored in a first format (see fig. 2 in video window (20), and col. 4 lines 29-46), the specification identifying beginning and ending frames for each portion (see col. 4 lines 29-54); and building a list comprising a starting mark and ending mark for each selected portion of first content, the list for use in accessing corresponding portions of the same content stored as second format (see fig. 2 clip edit (22) in a second format; edit window (38) and col. 4 line 59-col. 5 line 7).

Regarding claim 2, Mills discloses the starting mark and ending mark further comprise frame numbers (it is inherent that the begin and end frames have numbers, see col. 6 lines 12-18).

Regarding claim 8, the examiner read claim 8 as the second content has a second format different than the first format. Mills discloses the second content has a second format different than the first format (it is inherent that the frames in clip edit window (22) have different resolution than frames in video frame (36) see col. 4 lines 35-46).

Claim Rejections - 35 USC § 103

4. Claims 3-7, 11-15, and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Fujita (US Pat. No. 6321024).

Regarding claims 3 and 4, claims 3 and 4 differ from Mills in that the claims further require the step of converting the starting mark and ending mark into timecodes, and the first content includes timecodes superimposed on its frames further comprising the step of first determining a correspondence between frame numbers and timecodes of the first content and using the determined correspondence to convert the starting mark and ending mark into timecodes. Mills does not disclose the step of converting the starting mark and ending mark into timecodes, however, Mills disclose the user has the ability to create new points using frame numbers (see col. 1 lines 45-53).

In the same field of endeavor, Fujita discloses the first content includes timecodes superimposed on its frames (see col. 8 lines 22-32). Fujita further discloses the starting mark and ending mark are converted into timecodes (see col. 11 lines 49-60). Therefore, in light of the teaching in Fujita it would have been obvious to one of ordinary skill in the art to modify Mills by converting starting and ending to timecodes and to superimpose timecodes on its frames in order to display the frame in a time form.

Regarding claim 5, claim 5 differs from Mills in that the claim further requires the starting mark and the ending mark further comprise timecodes. Mills does not disclose the starting mark and the ending mark comprise timecodes, however, Mills discloses begin and end points are created using small digitized frames (SDF) (see col. 2 lines 24-44).

In the same field of endeavor, Fujita discloses the starting mark (see fig. 3 in frame (317)) and the ending mark (see fig. 3 out frame (319)) further comprise timecodes (see fig. 3 frame number display box (318) and (320) and col. 13 lines 3-10). Fujita further discloses frame numbers or timecodes are allocated to the frames of the video images (see col. 8 lines 22-32). Therefore in light of the teaching in Fujita, it would have been obvious to one of ordinary skill in the art to modify Mills by providing timecodes for starting and ending marks in order to associate timecodes corresponding to the frames (see col. 9 lines 11-19).

Regarding claim 6, Fujita discloses the timecodes are extracted from the first content (see col. 12 lines 16-18 and col. 9 lines 11-19).

Claim 7 is rejected for the same reason as discussed in claim 4 above.

Claims 11, 12, 15, 19, 20 and 23 are rejected for the same reason as discussed in method claims 3 and 4 above.

Claims 13 and 21 are rejected for the same reason as discussed in method claim 5 above.

Claims 14 and 22 are rejected for the same reason as discussed in method claim 6 above.

5. Claims 9-10, 16-18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mills.

Regarding claims 9-10, 16-18, and 24 the limitations in these claims can be found in the method claims 1-2, and 8. However claims 9-10, 16-18, and 24 further requires a program product containing instructions causing the computer to execute steps as claimed in claims 1-2, and 8. Official notice is taken that it is well known in the art to embody inventions in software to be executed by a computer. Therefore, it would have been obvious to one of ordinary skill in the art to modify the teaching of Mills by having a program product of being read by a computer

tangibly embodying a program causing the computer to execute the steps of the method claims. The motivation for having a recordable by a computer is that such a method can be easily enhanced and executed multiple times.

Conclusion

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

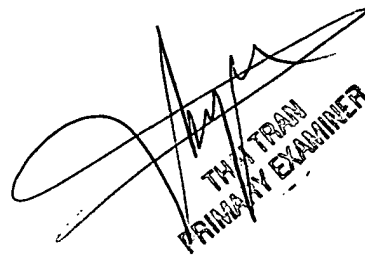
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helen Shibru
March 17, 2006



Handwritten signature and stamp. The stamp reads: TWAIN TRAM PRIMER EXAMINER